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REMARKS

In response to the Final Office Action mailed on March 17, 2006, Applicants respectfully requests reconsideration. Claims 1-5, 7-19, 21-29, 31-41, 43-47, 49-53, 55-57, 59 and 60 are pending in this Application. Claims 1, 19, 25, 41, 47, 53 and 56 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 1, 25, 29 and 41 have been amended. A version of the claims containing markings to show the changes made is included hereinabove. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

Preliminary Matters

Regarding the previous response to the Office Action of September 20, 2005, it appears that through an administrative oversight, the replacement specification and amendment to the claims were provided without the changes being indicated. Applicants apologize for any confusion caused the Examiner due to this oversight. As discussed with the Examiner, included herewith is the response to the September 20, 2005 Office Action with the changes to the specification and claims indicated.

Claim Objections

Claims 1, 25, 29, and 41 were objected to due to certain informalities. Claims 1, 25, 29 and 41 have been amended to correct the informalities cited by the Examiner. Accordingly, the objections to claims 1, 25, 29 and 41 are believed to have been overcome.

Rejections under 35 U.S.C. §§101 and 112

Claims 1 and 25 were rejected as being indefinite. Claims 1 and 25 have been amended to remove the indefiniteness cited by the Examiner. Claim 59 was rejected as directed to non-statutory subject matter and as being indefinite. Claim 59 has been amended to correct the indefiniteness which also corrects the claim as being directed

to non-statutory subject matter. Accordingly, the rejection of claims 1, 25 and 59 is believed to have been overcome.

Rejections under 35 U.S.C. §102

Claims 1-5, 7-19, 21-29, 31-41, 43-47, 49-53, 55-57 and 59-60 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,023,507 to Wookey (hereinafter Wookey).

Wookey discloses an automatic remote computer monitoring system. In Wookey, as shown in Figure 3 and described at column 4, line 46 through column 5, line 50, discloses a database system which includes a firewall, in which diagnostic information from the monitored system is transmitted back to the service system and stored.

The Examiner stated that Wookey discloses the limitations of claim 1. Applicants respectfully disagree with the Examiner's statement. Claim 1 includes the steps of obtaining connection information for a data communications device, initiating a first packet communications session using the connection information, providing to the data communications device the first packet communications session authentication information such that the data communications device can determine if a user of the computer system is authorized to establish the first packet communications session and allowing the computer system to establish a second packet communications session from the data communications device to the data storage system when the user is authorized or denying the ability to establish a second packet communications session from the data communications device to the data storage system when the user is not authorized. Stated more simply, claim 1 recites establishing a communications session between a first device (the computer system) and a second device (the data communications device) if the user is authorized, and if the user is authorized then establishing a second communications session between the second device (the data communications device) and a third device (the data storage system).

In contrast to claim 1, Wookey discloses establishing a communications session between a first device (the service center computer system) and a second device (the

modem of the monitored system) if the user is authorized, and then establishing a second communications session between the second device (the modem of the monitored system) and first device (the service center computer system).

Therefore, since Wookey discloses establishing a communications session between a first device and a second device if the user is authorized, and then establishing a second communications session between the second device and first device, while claim 1 recites establishing a communications session between a first device and a second device if the user is authorized, and if the user is authorized then establishing a second communications session between the second device and a third device, claim 1 is believed allowable over Wookey.

Claims 19, 25, 41, 47, 53 and 56 include similar language as claim 1 regarding establishing a communications session between a first device and a second device if the user is authorized, and if the user is authorized then establishing a second communications session between the second device and a third and are believed allowable over Wookey for the same reasons. Claims 2-5, 7-18, 21-24, 26-40, 43-46, 49-52, 55 and 57 depend from claims 1, 19, 25, 41, 47, 53 or 56 and are believed allowable as they depend from a base claim which is believed allowable. Therefore, the rejection of claims 1-5, 7-19, 21-29, 31-41, 43-47, 49-53, 55-57 and 59-60 under 35 U.S.C. §102(b) as being anticipated by Wookey is believed to have been overcome.

In view of the above, the Examiners objections and rejections are believed to have been overcome, placing claims 1-5, 7-19, 21-29, 31-41, 43-47, 49-53, 55-57 and 59-60 in condition for allowance and reconsideration and allowance thereof is respectfully requested.

Applicants hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

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If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,



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